



105-000342.CJM/dys.255596

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application :)

Henry M. Gallops, Jr.) In the Initial Patent
Application No. 10/687,950) Examining Division
Filed October 17, 2003)
ARCHERY BOW WITH) Group Art Unit
SWING ARM CABLE GUARD) 3712
AND FALL-AWAY ARROW)
REST) Our Ref.: 1405-342

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

December 12, 2003

(Date of Deposit)

Charles J. Meyer

Name of Registered Representative

Signature

December 12, 2003

Date of Signature

PETITION UNDER 37 C.F.R. § 1.17(h)

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

This is in response to a Notice of Omitted Item(s) (copy enclosed with mailing date 12/8/03) in a Nonprovisional Application, which states that Figures 10 and 11 were omitted from the application filed on October 17, 2003. Attached is a copy of the patent application transmittal and a copy of the returned postal card indicating 10 sheets of drawings were enclosed with the original filed application. The 10 sheets included Figure 10 on one sheet and Figure 11 on another sheet.

Applicant's counsel's file copy of the drawings is a complete set of labeled copies, including Figures 10 and 11. The copy in the attorney's file is a physically attached copy of all the drawing pages after labeling and copying. This copy is made as the final step before the application is sealed and mailed. Also enclosed is a check in the amount of \$130.00 in payment of the petition fee under 37 CFR § 1.17(h). Any additional necessary fees may be charged to or overpayment credited to Deposit Account No. 23-3030.

As reflected in the corresponding file, the undersigned attorney believes the drawings Figs. 10 and 11 to have been included in the original filed application papers. The secretary, Danielle Sneed, who prepared and copied the documents believes, to the best of her knowledge, that all sheets of drawing were included with the application. An affidavit by the undersigned and an affidavit by Danielle Sneed, an experienced and competent secretary, is attached hereto.

Considering the content of the postal card and the affidavit and experience of the undersigned and Danielle Sneed and the complete-attached set of drawings in counsel's file, Applicant contends that the two drawing sheets containing Figures 10 and 11 were deposited in the U.S. Patent and Trademark Office with the subject application papers October 17, 2003.

In the alternative, Applicant requests entry of the Figures submitted herewith as an amendment which does not introduce new matter. Figures 10 and 11 are supported by the originally filed text of the CIP application and add no new subject matter. Page 6 of the application identifies Figs. 10 and 11 as part of the application. Pages 10-12 make references to and describe Figs. 10 and 11.

Applicant Petitions that the copies enclosed herewith of Figs. 10 and 11 be accepted as received and filed October 17, 2003, under 37 CFR 1.53(e1 and e2). Applicant requests that, upon grant of this Petition, a corrected filing receipt be issued as shown on the enclosed marked-up copy of the original, and the Petition fee be refunded. If this Petition is denied, Applicant elects to maintain the October 17, 2003 filing date of the application papers filed on that date.

Respectfully submitted:



Charles J. Meyer
Reg. No. 41,996
Woodard, Emhardt, Moriarty
McNett & Henry, LLP
Bank One Center Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456

Enclosures

1. Copy of Notice of Omitted Items;
2. Petition Fee;
3. Affidavit of Charles J. Meyer;
4. Affidavit of Danielle Sneed;
5. Marked-up copy of original filing receipt;
6. Copies of Figs. 10 and 11;
7. Copy of pat. app. transmittal page;
8. Copy of pat. app. returned postal card.



01405-000342.CJM/dys.255656

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application :)
Henry M. Gallops, Jr.) In the Initial Patent
Application No. 10/687,950) Examining Division
Filed October 17, 2003)
ARCHERY BOW WITH) Group Art Unit
SWING ARM CABLE GUARD) 3712
AND FALL-AWAY ARROW)
REST) Our Ref.: 1405-342

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

December 12, 2003

(Date of Deposit)

Charles J. Meyer

Name of Registered Representative

Signature

December 12, 2003

Date of Signature

AFFIDAVIT OF CHARLES J. MEYER

I, Charles J. Meyer, being duly sworn upon my oath, do state as follows:

1. I am a partner in the law firm of Woodard, Emhardt, Moriarty, McNett & Henry LLP. I have been regularly drafting and filing patent applications since 1995.
2. I prepared and oversaw the filing of the above application.
3. It is my practice before signing the transmittal documents for any patent application to personally physically count each page of the specification and drawings to insure that the application is complete. To the best of my recollection, I followed this practice for the above application.
4. To the best of my knowledge and belief, all pages were inserted into the envelope addressed to the Assistant Commissioner for Patents, including the drawing pages with Figures 10 and 11.

Executed this 12th day of December, 2003.



Charles J. Meyer

STATE OF INDIANA)
)
) ss:
COUNTY OF Marion)

Before me, a Notary Public, in and for said County and State, personally appeared Charles J. Meyer, who, being first duly sworn upon his oath, acknowledges the execution of the foregoing "Affidavit" as his voluntary act and deed.

WITNESS my hand and Notorial Seal this 12th day of December,
2003.

Erica L. Clark

Notary Public

Printed: Erica L. Clark

Resident of Shelby County

My Commission Expires:

April 27, 2008



1405-000342.CJM.255599

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application :)
Henry M. Gallops, Jr.) In the Initial Patent
Application No. 10/687,950) Examining Division
Filed October 17, 2003)
ARCHERY BOW WITH) Group Art Unit
SWING ARM CABLE GUARD) 3712
AND FALL-AWAY ARROW)
REST) Our Ref.: 1405-342

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

December 12, 2003

(Date of Deposit)

Charles J. Meyer

Name of Registered Representative

Signature

December 12, 2003

Date of Signature

AFFIDAVIT OF DANIELLE SNEED

I, Danielle Sneed, being duly sworn upon my oath, do state as follows:

1. I am a secretary in the law firm of Woodard, Emhardt, Moriarty, McNett & Henry LLP and have been employed and trained in the capacity of typing, assembling, and filing patent and trademark applications in the U.S. Patent and Trademark.
2. On October 17, 2003, I prepared the above-captioned application for forwarding to the U.S. Patent and Trademark Office, copied all papers, and placed it in the U.S. mail service to be delivered via Express Mail (Label No. EL984270786 US).
3. To the best of my knowledge and belief, all pages were inserted into the envelope addressed to the Assistant Commissioner for Patents, including the drawing pages with Figures 10 and 11.
4. It is our firm's and my practice and policy to make a complete set of each application as the final step before sealing the envelope and mailing the application. The final copy is placed in the corresponding file to reflect what was formally filed. To the best of my knowledge and recollection, that was done in this case.

5. The transmittal sheet and post card submitted with this application indicate that 10 drawing sheets were included.

6. The final, formal copy of the application in this file includes 10 drawing sheets with copies of the filing labels. It is my and our firm's policy that drawing labels are applied to the drawings only immediately prior to making the final file copy and mailing the application.

7. The 10 drawing sheet copies in the file (with labels) are physically attached to each other as a complete set.

Executed this 12th day of December, 2003.

Danielle Sneed
Danielle Sneed

STATE OF INDIANA)
)
) ss:
COUNTY OF Marion)

Before me, a Notary Public, in and for said County and State, personally appeared Danielle Sneed, who, being first duly sworn upon her oath, acknowledges the execution of the foregoing "Affidavit" as her voluntary act and deed.

WITNESS my hand and Notorial Seal this 12th day of December, 2003.

Erica L. Clark
Notary Public

Printed: Erica L. Clark

Resident of Shelby County

My Commission Expires:

April 27, 2008